**Agency:** Office of Administrative Hearings

460

In accordance with 67-3502 Idaho Code, I certify the included budget properly states the receipts and expenditures of the departments (agency, office, or institution) for the fiscal years indicated.

Signature of Department Director:

Bryan Nickels

Date: 08/28/2024

|                     |                 |       | FY 2024 Total<br>Appropriation | FY 2024 Total<br>Expenditures | FY 2025<br>Original<br>Appropriation | FY 2025<br>Estimated<br>Expenditures | FY 2026 Total<br>Request |
|---------------------|-----------------|-------|--------------------------------|-------------------------------|--------------------------------------|--------------------------------------|--------------------------|
| Appropriation Unit  | :               |       |                                |                               |                                      |                                      |                          |
| Office of Administr | rative Hearings |       | 816,900                        | 708,200                       | 1,589,000                            | 1,589,000                            | 1,585,800                |
|                     |                 | Total | 816,900                        | 708,200                       | 1,589,000                            | 1,589,000                            | 1,585,800                |
| By Fund Source      |                 |       |                                |                               |                                      |                                      |                          |
| G 10000             | General         |       | 816,900                        | 708,200                       | 1,589,000                            | 1,589,000                            | 1,585,800                |
|                     |                 | Total | 816,900                        | 708,200                       | 1,589,000                            | 1,589,000                            | 1,585,800                |
| By Account Catego   | ory             |       |                                |                               |                                      |                                      |                          |
| Personnel Cost      |                 |       | 567,200                        | 559,900                       | 1,214,400                            | 1,214,400                            | 1,236,800                |
| Operating Expense   | е               |       | 249,700                        | 148,300                       | 349,000                              | 349,000                              | 349,000                  |
| Capital Outlay      |                 |       | 0                              | 0                             | 25,600                               | 25,600                               | 0                        |
|                     |                 | Total | 816,900                        | 708,200                       | 1,589,000                            | 1,589,000                            | 1,585,800                |
| FTP Positions       |                 |       | 4.00                           | 4.00                          | 9.00                                 | 9.00                                 | 9.00                     |
|                     |                 | Total | 4.00                           | 4.00                          | 9.00                                 | 9.00                                 | 9.00                     |

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Division Description Request for Fiscal Year: 2026

 Agency:
 Office of Administrative Hearings

 460

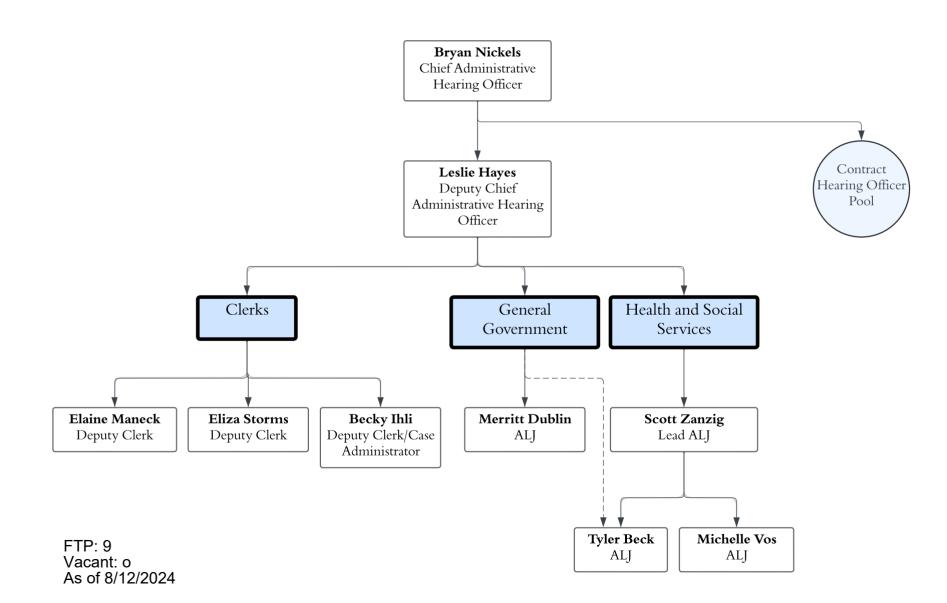
**Division:** Office of Administrative Hearings

Statutory Authority: IC §67-5280

The Office of Administrative Hearings was created in 2022 and is part of the executive branch residing in the Department of Self-Governing Agencies. The Office houses the State's administrative law judges and was created within Idaho's Administrative Procedure Act to provide independent and impartial hearing officers to preside over contested case proceedings before almost all of Idaho's agencies, boards, and commissions.

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# Office of Administrative Hearings Organizational Chart - FY25



|  | FTP                | Personnel<br>Costs | Operating<br>Expense | Capital Outlay | Trustee<br>Benefit | Total     |
|--|--------------------|--------------------|----------------------|----------------|--------------------|-----------|
| Agency Office of Administrative Heari          | ngs                |                    |                      |                |                    | 460       |
| <b>Division</b> Office of Administrative Heari | ngs                |                    |                      |                |                    | AH1       |
| Appropriation Unit Office of Administra        | rative Hearings    |                    |                      |                |                    | SGAH      |
| FY 2024 Total Appropriation                    |                    |                    |                      |                |                    |           |
| 1.00 FY 2024 Total Appropriation               |                    |                    |                      |                |                    | SGAH      |
|  |                    |                    |                      |                |                    |           |
| 10000 General                                  | 4.00               | 567,200            | 249,700              | 0              | 0                  | 816,900   |
|  | 4.00               | 567,200            | 249,700              | 0              | 0                  | 816,900   |
| 1.61 Reverted Appropriation Balan              | nces               |                    |                      |                |                    | SGAH      |
| 10000 General                                  | 0.00               | (7,300)            | (101,400)            | 0              | 0                  | (108,700) |
|  | 0.00               | (7,300)            | (101,400)            | 0              | 0                  | (108,700) |
| FY 2024 Actual Expenditures                    |                    |                    |                      |                |                    |           |
| 2.00 FY 2024 Actual Expenditures               | 3                  |                    |                      |                |                    | SGAH      |
| 10000 General                                  | 4.00               | 559,900            | 148,300              | 0              | 0                  | 708,200   |
|  | 4.00               | 559,900            | 148,300              | 0              | 0                  | 708,200   |
| FY 2025 Original Appropriation                 |                    |                    |                      |                |                    |           |
| 3.00 FY 2025 Original Appropriation            | on                 |                    |                      |                |                    | SGAH      |
| 10000 General                                  | 9.00               | 1,214,400          | 349,000              | 0              | 0                  | 1,563,400 |
| OT 10000 General                               | 0.00               | 0                  | 0                    | 25,600         | 0                  | 25,600    |
|  | 9.00               | 1,214,400          | 349,000              | 25,600         | 0                  | 1,589,000 |
| FY 2025Total Appropriation                     |                    |                    |                      |                |                    |           |
| 5.00 FY 2025 Total Appropriation               |                    |                    |                      |                |                    | SGAH      |
| 10000 General                                  | 9.00               | 1,214,400          | 349,000              | 0              | 0                  | 1,563,400 |
| OT 10000 General                               | 0.00               | 0                  | 0                    | 25,600         | 0                  | 25,600    |
|  | 9.00               | 1,214,400          | 349,000              | 25,600         | 0                  | 1,589,000 |
| FY 2025 Estimated Expenditures                 |                    |                    |                      |                |                    |           |
| 7.00 FY 2025 Estimated Expendit                | ures               |                    |                      |                |                    | SGAH      |
| 10000 General                                  | 9.00               | 1,214,400          | 349,000              | 0              | 0                  | 1,563,400 |
| OT 10000 General                               | 0.00               | 0                  | 0                    | 25,600         | 0                  | 25,600    |
|  | 9.00               | 1,214,400          | 349,000              | 25,600         | 0                  | 1,589,000 |
| Base Adjustments                               |                    |                    |                      |                |                    |           |
| 8.41 Removal of One-Time Exper                 | nditures           |                    |                      |                |                    | SGAH      |
| This decision unit removes one-time            | e appropriation fo | r FY 2025.         |                      |                |                    |           |
| OT 10000 General                               | 0.00               | 0                  | 0                    | (25,600)       | 0                  | (25,600)  |
|  | 0.00               | 0                  | 0                    | (25,600)       | 0                  | (25,600)  |
| FY 2026 Base                                   |                    |                    |                      |                |                    |           |
| 9.00 FY 2026 Base                              |                    |                    |                      |                |                    | SGAH      |

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|            |                                  | FTP                | Personnel<br>Costs | Operating<br>Expense | Capital Outlay | Trustee<br>Benefit | Total     |
|------------|----------------------------------|--------------------|--------------------|----------------------|----------------|--------------------|-----------|
| 10         | 0000 General                     | 9.00               | 1,214,400          | 349,000              | 0              | 0                  | 1,563,400 |
| OT 10      | 0000 General                     | 0.00               | 0                  | 0                    | 0              | 0                  | 0         |
|            |                                  | 9.00               | 1,214,400          | 349,000              | 0              | 0                  | 1,563,400 |
| Program Ma | aintenance                       |                    |                    |                      |                |                    |           |
| 10.11      | Change in Health Benefit Cos     | ts                 |                    |                      |                |                    | SGAH      |
| This de    | ecision unit reflects a change i | n the employer     | nealth benefit cos | ts.                  |                |                    |           |
| 10         | 0000 General                     | 0.00               | 11,700             | 0                    | 0              | 0                  | 11,700    |
|            |                                  | 0.00               | 11,700             | 0                    | 0              | 0                  | 11,700    |
| 10.61      | Salary Multiplier - Regular Em   | ployees            |                    |                      |                |                    | SGAH      |
| This de    | ecision unit reflects a 1% salar | y multiplier for F | Regular Employee   | S.                   |                |                    |           |
| 10         | 0000 General                     | 0.00               | 10,700             | 0                    | 0              | 0                  | 10,700    |
|            |                                  | 0.00               | 10,700             | 0                    | 0              | 0                  | 10,700    |
| FY 2026 To | tal Maintenance                  |                    |                    |                      |                |                    |           |
| 11.00      | FY 2026 Total Maintenance        |                    |                    |                      |                |                    | SGAH      |
| 10         | 0000 General                     | 9.00               | 1,236,800          | 349,000              | 0              | 0                  | 1,585,800 |
| OT 10      | 0000 General                     | 0.00               | 0                  | 0                    | 0              | 0                  | 0         |
|            |                                  | 9.00               | 1,236,800          | 349,000              | 0              | 0                  | 1,585,800 |
| FY 2026 To | tal                              |                    |                    |                      |                |                    |           |
| 13.00      | FY 2026 Total                    |                    |                    |                      |                |                    | SGAH      |
| 10         | 0000 General                     | 9.00               | 1,236,800          | 349,000              | 0              | 0                  | 1,585,800 |
| OT 10      | 0000 General                     | 0.00               | 0                  | 0                    | 0              | 0                  | 0         |
|            |                                  | 9.00               | 1,236,800          | 349,000              | 0              | 0                  | 1,585,800 |

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**PCF Detail Report** 

Request for Fiscal Year: 2

Agency: Office of Administrative Hearings

460

Appropriation Unit: Office of Administrative Hearings

SGAH

Fund: General Fund

10000

| PCN    | Class       | Description                        | FTP  | Salary  | Health  | Variable<br>Benefits | Total     |
|--------|-------------|------------------------------------|------|---------|---------|----------------------|-----------|
| Totals | from Pers   | onnel Cost Forecast (PCF)          |      |         |         |                      |           |
|        |             | Permanent Positions                | 9.00 | 879,568 | 117,000 | 188,589              | 1,185,157 |
|        |             | Total from PCF                     | 9.00 | 879,568 | 117,000 | 188,589              | 1,185,157 |
|        |             | FY 2025 ORIGINAL APPROPRIATION     | 9.00 | 899,943 | 117,000 | 197,457              | 1,214,400 |
|        |             | Unadjusted Over or (Under) Funded: | .00  | 20,375  | 0       | 8,868                | 29,243    |
| Estima | ated Salary | Needs                              |      |         |         |                      |           |
|        |             | Permanent Positions                | 9.00 | 879,568 | 117,000 | 188,589              | 1,185,157 |
|        |             | Estimated Salary and Benefits      | 9.00 | 879,568 | 117,000 | 188,589              | 1,185,157 |
| Adjust | ted Over o  | r (Under) Funding                  |      |         |         |                      |           |
|        |             | Original Appropriation             | .00  | 20,375  | 0       | 8,868                | 29,243    |
|        |             | Estimated Expenditures             | .00  | 20,375  | 0       | 8,868                | 29,243    |
|        |             | Base                               | .00  | 20,375  | 0       | 8,868                | 29,243    |

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**PCF Summary Report** 

Request for Fiscal Year:

Agency: Office of Administrative Hearings

SGAH

Appropriation Unit: Office of Administrative Hearings

460

Fund: General Fund

10000

| DU    |                                       | FTP  | Salary  | Health  | Variable<br>Benefits | Total     |
|-------|---------------------------------------|------|---------|---------|----------------------|-----------|
| 3.00  | FY 2025 ORIGINAL APPROPRIATION        | 9.00 | 899,943 | 117,000 | 197,457              | 1,214,400 |
| 5.00  | FY 2025 TOTAL APPROPRIATION           | 9.00 | 899,943 | 117,000 | 197,457              | 1,214,400 |
| 7.00  | FY 2025 ESTIMATED EXPENDITURES        | 9.00 | 899,943 | 117,000 | 197,457              | 1,214,400 |
| 9.00  | FY 2026 BASE                          | 9.00 | 899,943 | 117,000 | 197,457              | 1,214,400 |
| 10.11 | Change in Health Benefit Costs        | 0.00 | 0       | 11,700  | 0                    | 11,700    |
| 10.61 | Salary Multiplier - Regular Employees | 0.00 | 8,800   | 0       | 1,900                | 10,700    |
| 11.00 | FY 2026 PROGRAM MAINTENANCE           | 9.00 | 908,743 | 128,700 | 199,357              | 1,236,800 |
| 13.00 | FY 2026 TOTAL REQUEST                 | 9.00 | 908,743 | 128,700 | 199,357              | 1,236,800 |

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|  | FIVE VEAD                       | EACH ITV NEED          | OS PLAN, pursuan          | ot to IC 67 5709D              |                         |                         |
|--|---------------------------------|------------------------|---------------------------|--------------------------------|-------------------------|-------------------------|
|  | FIVE-YEAR                       |                        |                           | п то тС 07-5700В               |                         |                         |
| A CONTROL VALLED   | 0.00                            |                        | NFORMATION                |                                |                         |                         |
| AGENCY NAME:   | Office of Admini                |                        | Division/Bureau:          | raquel.ceklovsky@dfm.idaho.gov |                         |                         |
| Prepared By:   | Raquel C                        | eklovsky               | E-mail Address:           |                                | iel.ceklovsky@dfm.idano | D.gov                   |
| Telephone Number:  | 208-854-3044<br>Adam            | Louvis                 | Fax Number:               | 208-334-2438                   | Chris Lehosit           |                         |
| DFM Analyst:   | 8/8/2                           |                        | LSO/BPA Analyst:          |                                | 2026                    |                         |
| Date Prepared:   |                                 | -                      | For Fiscal Year:          | 1 1 1 1 1 1                    |                         |                         |
|  | FACILITY INFORM                 | IATION (please list ea | ach facility separately   | by city and street addre       | ess)                    |                         |
| •  | The Jefferson                   |                        | a .                       | Ada                            |                         |                         |
| · · · · · · · · · · · · · · · · · · ·                                      | Boise<br>350 N. 9th Street, ste | 200                    | County:                   | Aua                            | Zin Code                | 927202                  |
| Facility Ownership   | 550 N. 9th Street, ste          |                        |                           |                                | Zip Code:               | 837202                  |
| (could be private or state-owned)  | Private Lease:                  | 7                      | State Owned:              |                                | Lease Expires:          |                         |
|  |                                 | FUNCTION/U             | SE OF FACILITY            |                                |                         |                         |
| Administrative Space, Boise  |                                 |                        |                           |                                |                         |                         |
|  |                                 | COM                    | IMENTS                    |                                |                         |                         |
|  |                                 |                        |                           |                                |                         |                         |
|  |                                 | WOR                    | K AREAS                   |                                |                         |                         |
| FISCAL YR:   | ACTUAL 2024                     | REQUEST 2025           | REQUEST 2026              | REQUEST 2027                   | REQUEST 2028            | REQUEST 2029            |
| Total Number of Work Areas:  | 5                               | 9                      | 9                         | 9                              | 9                       | 9                       |
| Full-Time Equivalent Positions:  | 5                               | 9                      | 9                         | 9                              | 9                       | 9                       |
| Temp. Employees, Contractors,<br>Auditors, etc.:                           | 0                               | 0                      | 0                         | 0                              | 0                       | 0                       |
|  |                                 | SQUA                   | RE FEET                   |                                |                         |                         |
| FISCAL YR:   | ACTUAL 2024                     | REQUEST 2025           | REQUEST 2026              | REQUEST 2027                   | REQUEST 2028            | REQUEST 2029            |
| Square Feet:   | 500                             | 3174                   | 3174                      | 3174                           | 3174                    | 3174                    |
|  |                                 | FACIL                  | ITY COST                  |                                |                         |                         |
|  | (Do NOT u                       | se your old rate per s | q ft; it may not be a ı   | realistic figure)              |                         |                         |
| FISCAL YR:   | ACTUAL 2024                     | REQUEST 2025           | REQUEST 2026              | REQUEST 2027                   | REQUEST 2028            | REQUEST 2029            |
| Total Facility Cost/Yr:  | \$14,000.00                     | \$56,049.00            | \$60,000.00               | \$62,000.00                    | \$65,000.00             | \$70,000.00             |
|  |                                 | SURPLUS                | PROPERTY                  |                                |                         |                         |
| FISCAL YR:   | ACTUAL 2024                     | REQUEST 2025           | REQUEST 2026              | REQUEST 2027                   | REQUEST 2028            | REQUEST 2029            |
|  |                                 |                        |                           |                                |                         |                         |
| IMPORTANT NOTES:   |                                 |                        |                           |                                |                         |                         |
| 1. Upon completion, please send to Leasin 208-332-1933 with any questions. | ng Manager at the State         | e Leasing Progam in th | ne Division of Public W   | orks via email to Caitli       | n.Cox@adm.idaho.gov     | . Please e-mail or call |
| 2. If you have five or more locations, plea                                |                                 |                        |                           |                                |                         |                         |
| 3. Attach a hardcopy of this submittal, as COPY OF YOUR BUDGET REQUEST,    |                                 | formation Summary Sl   | heet, if applicable, with | your budget request.           | DPW LEASING DOES        | S NOT NEED A            |
| AGENCY NOTES:  |                                 |                        |                           |                                |                         |                         |

## Part I - Agency Profile

### **Agency Overview**

The Office of Administrative Hearings (OAH) was established in 2022 by the Legislature as an independent agency, charged with providing independent and unbiased hearing officers to preside over contested administrative cases before almost all of Idaho's agencies. OAH is statutorily charged with providing hearing officers in contested case proceedings under Idaho's Administrative Procedure Act (APA) which arise from the appeal of an agency order. OAH is also authorized to provide mediation, arbitration, and other adjudicatory services to Idaho's agencies if requested. Depending on the nature of the action, OAH conducts hearings in a number of ways: 1) in-person field hearings, which can be done anywhere in the state; 2) remote video conference; 3) hybrid hearings, which have in-person attendees and remote attendees; and 4) telephonically.

On September 6, 2022, Governor Little appointed Bryan Nickels as the Chief Administrative Hearing Officer to launch OAH as a new agency. By statute, OAH formally began to handle contested cases on January 3, 2023, and subsequently began handling contested cases before the Department of Health & Welfare on July 1, 2024. As of August 1, 2024, OAH is staffed with 6 administrative law judges (including the Chief Administrative Hearing Officer and the Deputy Chief Administrative Hearing Officer), 2 Deputy Clerks, and 1 Case Administrator; OAH also utilizes legal extern(s) from the University of Idaho Law School. In August 2024, all 3 of OAH's newest administrative law judges will complete a 10-day Fair Hearings training for administrative law judges at the National Judicial College at the University of Nevada-Reno. OAH's new offices are located at 350 N. 9th St., Suite 300, Boise, ID 83702.

OAH's Mission: The Office of Administrative Hearings serves the citizens, businesses, and state agencies of Idaho by providing independent, efficient, and unbiased hearings of contested administrative cases, and facilitates the opportunity for parties to resolve their disputes through alternative dispute resolution.

OAH's Vision: 1) The Office of Administrative Hearings will continue to develop a transparent and standardized hearing process to benefit participants in contested case proceedings; 2) The Office of Administrative Hearings, through its hearing officers, will continue to provide all participants with a fair, civil, and efficient process through which contested case proceedings will be heard; and 3) The Office of Administrative Hearings will continue to educate the public and stakeholders about Idaho's Administrative Procedures Act so that parties may participate to the fullest extent possible in the process.

#### Core Functions/Idaho Code

OAH's duties in providing independent and unbiased hearing officers, and corresponding due process concepts (as illuminated in the landmark U.S. Supreme Court case of *Mathews v. Eldridge*, 424 U.S. 319 (1976)), play a pivotal role in safeguarding individuals' rights within administrative proceedings. These mechanisms are integral to ensuring that individuals receive fair treatment and protection from arbitrary decisions when dealing with Idaho's agencies, given the potential harm to the individual if erroneous decisions are made without adequate procedures. As Idaho's Court of Appeals has explained in *Hawkins v. Idaho Transp. Dep't.*, 161 Idaho 173 (Ct. App. 2016), "[t]he minimum constitutional due process requirements for administrative hearings are timely and adequate notice and an opportunity to be heard that is meaningful and appropriate to the nature of the case." Altogether, these concepts underscore the fundamental principles of due process, striving to strike a harmonious balance between governmental efficiency and the protection of individual rights.

To ensure fulfillment of these due process considerations, OAH and its Chief Administrative Hearing Officer have a number of statutory duties regarding contested cases before Idaho's agencies and handled by OAH hearing officers. Those duties are outlined in I.C. §§67-5280 through -5286, and generally include as follows:

- Conduct contested case proceedings that arise from the appeal of an agency order (I.C. §67-5280(2)(a));
- Provide mediation, arbitration and adjudicatory services requested by agencies (I.C. §67-5280(2)(b));
- Appoint hearing officers, both within OAH and as outside contract hearing officers (I.C. §67-5282(1)(d));

- Promulgate an updated Idaho Rules of Administrative Procedure (I.C. §§67-5280(2)(c), -5282(1)(e), and -5206(3))
- Establish a Code of Conduct governing hearing officers' conduct to ensure independent and unbiased decision-making (I.C. §67-5282(1(f))
- Protected and ensure the decisional independence of OAH's hearing officers (I.C. §67-5282(1)(g)), and
- Implement monitoring systems regarding the quality of contested case proceedings (I.C. §67-5282(h)).

As of July 1, 2024, OAH provides contested case and other services to almost all of Idaho's agencies, to include the hearing of Department of Health and Welfare contested case matters. The only agency expressly exempted from OAH's scope is the Water Board/Department of Water Resources, per I.C. §67-5280(4).

**Revenue and Expenditures:** 

| Revenue                  | FY 2021       | FY 2022       | FY 2023       | FY 2024       |
|--------------------------|---------------|---------------|---------------|---------------|
| General Fund             | <u>\$ n/a</u> | <u>\$ n/a</u> | \$ 605,700.00 | <u>\$0.00</u> |
| Total                    | \$ n/a        | \$ n/a        | \$ 605,700.00 | \$0.00        |
| Expenditure              | FY 2021       | FY 2022       | FY 2023       |               |
| Personnel Costs          | \$ n/a        | \$ n/a        | \$ 310,862.58 | \$559,898.25  |
| Operating Expenditures   | \$ n/a        | \$ n/a        | \$ 70,259.00  | \$148,316.64  |
| Capital Outlay           | \$ n/a        | \$ n/a        | \$ 31,783.27  | \$0.00        |
| Trustee/Benefit Payments | <u>\$ n/a</u> | <u>\$ n/a</u> | <u>\$ 0</u>   | <u>\$0.00</u> |
| Total                    | \$ n/a        | \$ n/a        | \$ 412,904.85 | \$708,214.89  |

Profile of Cases Managed and/or Key Services Provided

| Cases Managed and/or Key Services Provided | FY 2021 | FY 2022 | FY 2023 | FY 2024 |
|--|---------|---------|---------|---------|
|  |         |         |         |         |
| Agencies assigning cases to OAH            | n/a     | n/a     | 9       | 11      |
| Cases transmitted to OAH                   | n/a     | n/a     | 83      | 150     |
| Hearings conducted                         | n/a     | n/a     | 56      | 91      |
| Percentage of in-person hearings           | n/a     | n/a     | 10.6%   | 14.0%   |
| Assignment within 2 business days          | n/a     | n/a     | 96.4%   | 98.0%   |
| Cases older than 180 days                  | n/a     | n/a     | 0%      | 2.0%    |
| Mediations/Arbitrations conducted          | n/a     | n/a     | 1       | 1       |

Note: "FY 2023" represents half-year figures, covering the official OAH start date of January 3, 2023 through June 30, 2023.

### **Performance Highlights:**

For FY24, in addition to the ongoing work in presiding over contested cases assigned to it by other agencies, OAH also primarily focused on preparing for the transition of Department of Health and Welfare contested case hearings from the Office of the Attorney General's Fair Hearings Unit to the OAH on July 1, 2024, including the hiring of additional personnel, physical relocation of entire agency to accommodate the expansion, additional setup of IT services and related logistical matters for the agency expansion, ongoing administrative law judge training, including contract hearing officers, and ongoing coordination meetings with Department of Health and Welfare staff.

Additionally, OAH completed the rulemaking process in creating the new Idaho Rules of Administrative Procedure, updating the prior Rules of Administrative Procedure of the Attorney General which had initially been promulgated in 1993. In doing so, OAH conducted eight in-person negotiated rulemaking sessions around the state, including Boise, Coeur d'Alene, Twin Falls, Moscow, and Pocatello. Those Rules became final, and went into effect, on July 1, 2024. In conjunction with the adoption of the new Idaho Rules of Administrative Procedure, OAH assisted other agencies in identifying agency-specific contested case rules, promulgated as exceptions to the prior Idaho Rules of Administrative Procedure, for archiving.

## Part II - Performance Measures

| Performance Measure                                    |                                | FY<br>2021 | FY<br>2022 | FY 2023   | FY 2024                      | FY 2025 |
|--|--------------------------------|------------|------------|---|------------------------------|---------|
| Goal 1: Develop website to incorporate                 | e background i                 | nformatio  | n regardi  | ng OAH for the  | e public,                    |         |
|  | agencies, and o                |            | earing of  | ficers.   |                              |         |
| Public website information: FAQs,                      | achieved                       | n/a        | n/a        | Yes   | Yes                          |         |
| OAH information, contact info, etc.                    | benchmark                      | n/a        | n/a        | Webpage<br>creations                                    | Agency<br>rule<br>links      |         |
| Agency website information: ADR,                       | achieved                       | n/a        | n/a        | Yes   | Yes                          |         |
| transmittal, and contact info                          | benchmark                      | n/a        | n/a        | Webpage creations                                       | Form<br>updates              |         |
| Hearing officer information: Code of                   | achieved                       | n/a        | n/a        | Yes   | Yes                          |         |
| Conduct, statutory/administrative info                 | benchmark                      | n/a        | n/a        | Webpage<br>creations                                    | Maintain<br>pool and<br>Code |         |
| Goal 2: Develop processes and moni proceedings, an     |                                |            |            |   |                              |         |
| Code of Conduct for hearing officers                   | achieved                       | n/a        | n/a        | Yes   | Yes                          |         |
| Code of Conduct for flearing officers                  | benchmark                      | n/a        | n/a        | Creation  | Updated                      |         |
| Quarterly Hearing Officer trainings                    | achieved                       | n/a        | n/a        | Yes (2 of 2)  | Yes (4)                      |         |
| Quarterly Fredring Officer trainings                   | benchmark                      | n/a        | n/a        | CLEs conducted;   | CLEs conducted;              |         |
|  |                                |            |            | attendance<br>monitored                                 | attendance<br>monitored      |         |
| Development of long-term "how to"                      | achieved                       | n/a        | n/a        | Yes   | Yes                          |         |
| information delivery methods                           | benchmark                      | n/a        | n/a        | Options id'd  | FAQ created                  |         |
| Goal 3: Consolidate and standard                       | lize administrat<br>monitoring |            | ng officer | practices and   | create quality               |         |
| Creation of hearing officer pool and                   | achieved                       | n/a        | n/a        | Yes   | Yes                          |         |
| contracts  | benchmark                      | n/a        | n/a        | Complete  | Maintained                   |         |
| Creation of agency policies regarding                  | achieved                       | n/a        | n/a        | Yes   | Yes                          |         |
| conduct of hearings                                    | benchmark                      | n/a        | n/a        | Initiated and ongoing; provided to all hearing officers | Policy<br>manual<br>created  |         |
| Develop monitoring/QC standards                        | achieved                       | n/a        | n/a        | Yes   | Yes                          |         |
|  | benchmark                      | n/a        | n/a        | Complete  | Maintained                   |         |
| Goal 4: Promulç  | gate rules to fur<br>mission.  |            | ement OA   | AH's  |                              |         |
| Promulgate new Idaho Rules of Administrative Procedure | achieved                       | n/a        | n/a        | Pending<br>Rules  | Yes                          |         |
|  | benchmark                      | n/a        | n/a        | Complete  | Complete                     |         |
| Assist agencies re: updates to                         | achieved                       | n/a        | n/a        | Ongoing   | Yes                          |         |
| agency-specific rules                                  | benchmark                      | n/a        | n/a        | Meetings  | Meetings                     |         |

| Goal 5: Education                       |            |     |     |          |          |  |  |
|---|------------|-----|-----|----------|----------|--|--|
| Establish training requirements for all | achieved   | n/a | n/a | Yes      | Yes      |  |  |
| hearing officers                        | benchmark  | n/a | n/a | Complete | Complete |  |  |
| Present CLEs to stakeholder groups      | achieved   | n/a | n/a | Ongoing  | Ongoing  |  |  |
| <b>5</b> ,                              | benchmark  | n/a | n/a | Complete | Complete |  |  |
|   | Goal 6: AD | R   |     |          |          |  |  |
| Agencies: educational information       | achieved   | n/a | n/a | Yes      | Yes      |  |  |
| and forms about ADR                     | benchmark  | n/a | n/a | Complete | Complete |  |  |
| ADR Specialists: Identify and creating  | achieved   | n/a | n/a | Yes      | Yes      |  |  |
| training requirements                   | benchmark  | n/a | n/a | Complete | Complete |  |  |

#### **Performance Measure Explanatory Note:**

As above, much of OAH's initial performance measures for its first two fiscal years are directed to initial set-up of the agency, as well as the set-up of the expanded agency to begin Department of Health and Welfare contested case hearings in FY25, both of which included initial training and logistics regarding administrative law judge operations. OAH projects that, following commencement of Department of Health and Welfare contested case matters in FY25, start-up operations for OAH as reflected in its initial strategic plan(s) are anticipated to be largely completed, and the strategic plan will be further updated to reflect ongoing OAH activities and metrics. At that juncture, and as OAH's caseload further matures, OAH anticipates that performance measures may shift to different metrics regarding case types, date-to-appointment and date-to-completion data, judicial review results, etc. OAH has also engaged in outreach with other states' central panel agencies to evaluate what benchmarks and metrics are used in those states in their respective performance measurement reports.

#### For More Information, Contact:

Bryan Nickels, Chief Administrative Hearing Officer Office of Administrative Hearings

350 N. 9<sup>th</sup> St., Suite 300

Boise, ID 83702

Phone: (208) 605-4300

E-mail: bryan.nickels@oah.idaho.gov

## Director Attestation for Performance Report

In accordance with *Idaho Code* 67-1904, I certify the data provided in the Performance Report has been internally assessed for accuracy, and, to the best of my knowledge, is deemed to be accurate.

| Department:          |      |  |
|----------------------|------|--|
| My                   |      |  |
| Director's Signature | Date |  |

Please return to:

Division of Financial Management 304 N. 8<sup>th</sup> Street, 3<sup>rd</sup> Floor Boise, Idaho 83720-0032

FAX: 334-2438 E-mail: info@dfm.idaho.gov